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December 29, 2008

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

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Art Unit 1644

Mail Stop Amendment

Re: U.S. Utility Patent Application
Appl. No. 10/765,097; Filed: January 28, 2004
For: **Means for Detection and Purification of CD8+T Lymphocyte
Populations Specific to Peptides Presented in the Context of HLA**
Inventors: LANG *et al.*
Our Ref: 2512.0240002/KWM/ROM (2102-183-DIV) -

Sir:

Transmitted herewith for appropriate action are the following documents:

1. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
3. 1 page of a paper copy of the substitute Sequence Listing;
4. A computer readable copy of the substitute Sequence Listing; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
December 29, 2008
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'KJ McCabe', is written over the printed name.

Kevin W. McCabe
Attorney for Applicants
Registration No. 41,182

KWM/ROM:dbj
Enclosures

920657_1.DOC



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,097	01/28/2004	Francois Lang	BECK1170-1	9827

7590 12/04/2008

Beckman Coulter, Inc.
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Suite 1100
4365 Executive Drive
San Diego, CA 92121-2133

EXAMINER	
DJBRINO, MARIANNE NMN	

ART UNIT	PAPER NUMBER
1644	

MAIL DATE	DELIVERY MODE
12/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO. /CONTROL NO. 10765097	FILING DATE 1/28/04	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION LANG ET AL.	ATTORNEY DOCKET NO. BECK1170-1
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EXAMINER DiBrino Marianne

ART UNIT 1644	PAPER 20081201
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Web (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. Mailed to:
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P.O. Box 22313 1450
Alexandria, VA 22313 1450
3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:
U.S. Patent and Trademark Office
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Customer Window
Randolph Building
401 Dulaney Street
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Marianne DiBrino at telephone number 571-272-0842. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, O'Hara B. Eileen, can be reached on 571-272-0848.

/Michael Szperka/
Primary Examiner, Art Unit 1644



Notice to Comply

Application No.

10/765,097

Applicant(s)

Lang et al.

Examiner

Marianne DiBriano

Art Unit

1644

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Applicant must provide data at fields <150> and <151> for all parent priority documents.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0731 or (571) 272-0951

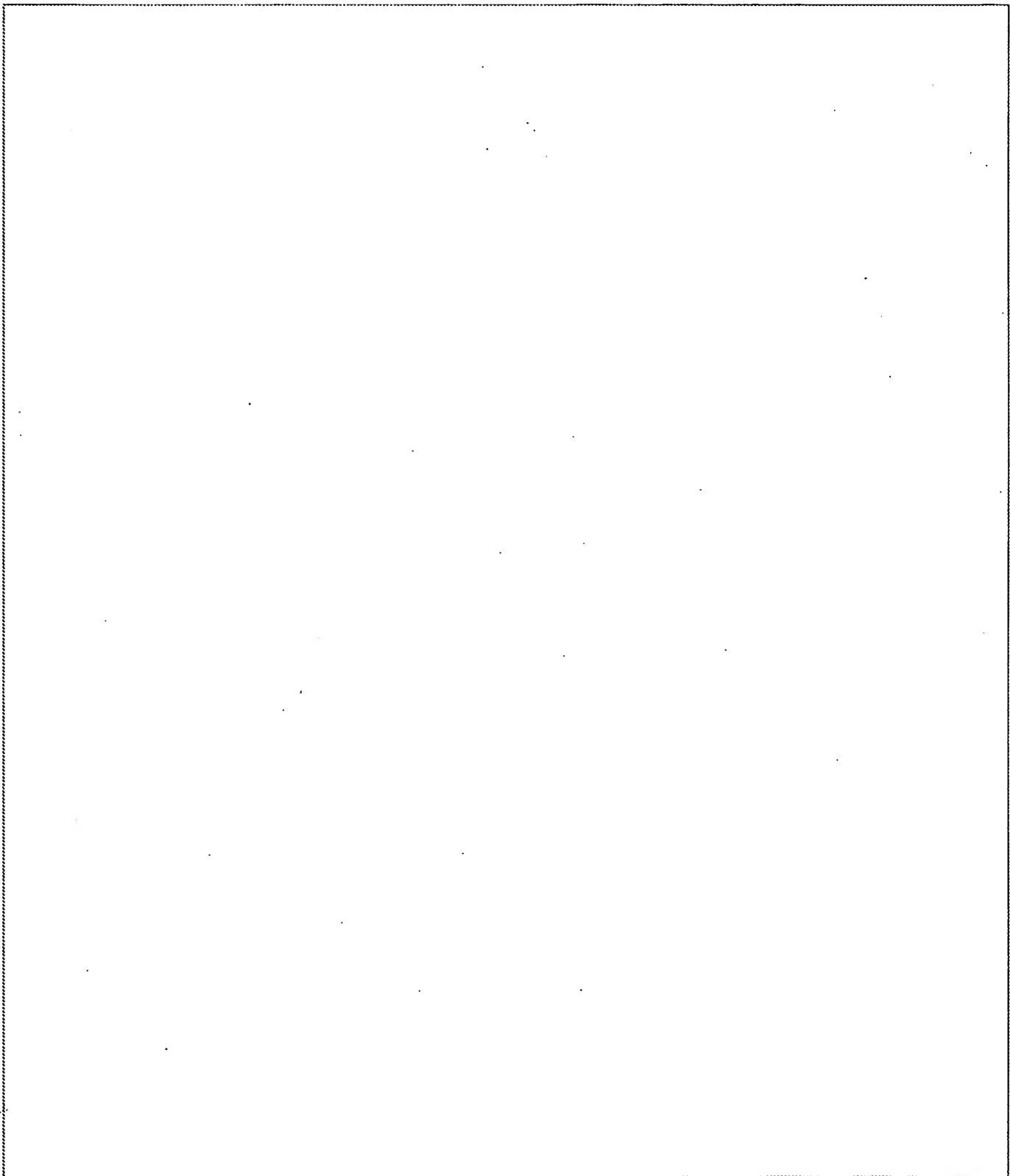
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Technical Assistance, 1-866-217-9197 or 703-305-3028 or 571-272-6845

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Sequence Count Sheet

Application/Control No.

10/765,097

Examiner

Marianne DiBrino

Applicant(s)

Lang et al.

Art Unit

1644

DATE OF COUNT

Mark only one space below

- ☐ (CRFN) (CRF is unreadable; use CRF Diskette Problem Report)
- ☐ (CRFD) (CRF does not comply; use Notice to Comply)
- ☐ (CRFR) (CRF required but none submitted; use Notice to Comply)
- ☒ (bona fide) (second or subsequent letter to applicant reporting bona fide attempt to comply; use Notice to Comply and send copy of RSL)
- ☐ (non bona fide) (second or subsequent letter to applicant reporting non-bona fide attempt to comply; use Notice to Comply and send copy of RSL)